

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Frank Staples, et al., *
*
Plaintiffs, *
v. * Civil No. 1:24-cv-00331-LM-TSM
*
Christopher Sununu, Governor, et al., *
*
Defendants. *

**DEFENDANTS’ MOTION TO DISMISS PLAINTIFFS’ FIRST AMENDED
COMPLAINT**

Defendants, New Hampshire Governor Kelly Ayotte, New Hampshire former Governor Christopher Sununu, the New Hampshire Attorney General, and Charles O’Leary (collectively, the “defendants”), by and through counsel, the New Hampshire Office of the Attorney General, move to dismiss the Plaintiffs’ First Amended Complaint, stating in support thereof as follows.

1. The defendants have filed a memorandum of law in support of their motion to dismiss.
2. The arguments presented in said memorandum of law are hereby incorporated as if fully stated herein.
3. For the reasons stated in the accompanying memorandum of law, the Court should dismiss the plaintiffs’ First Amended Complaint.

WHEREFORE, the defendants respectfully request that this Honorable Court:

- A. Dismiss the First Amended Complaint; and
- B. Grant such other and further relief as justice may require.

Respectfully submitted,

KELLY AYOTTE, GOVERNOR;
CHRISTOPHER SUNUNU, FORMER
GOVERNOR; AND
JOHN FORMELLA, ATTORNEY GENERAL

By their attorney,

JOHN M. FORMELLA
NEW HAMPSHIRE ATTORNEY GENERAL

Dated: June 30, 2025

/s/ Shawna Bentley
Shawna Bentley, Bar #270149
Assistant Attorney General
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and

CHARLES O'LEARY

By his attorney,

JOHN M. FORMELLA
NEW HAMPSHIRE ATTORNEY GENERAL

Dated: June 30, 2025

/s/ Meaghan A. Jepsen
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent via First Class Mail on June 30, 2025 to Plaintiffs' addresses as listed in the Complaint.

/s/ Meaghan A. Jepsen
Meaghan A. Jepsen